

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

UNITED STATES OF AMERICA,
Plaintiff in error,

v.

MICHAEL L. BARNES,
Defendant in error,
Michael-Trent: Barnes,
Defendant in fact,

Case No. 03-00502-SOM
MOTION TO CLAIM AND EXERCISE
CONSTITUTIONAL RIGHTS and
REQUIRE THE PRESIDING JUDGE TO
RULE UPON THIS MOTION, and ALL
PUBLIC OFFICERS OF THIS COURT
TO UPHOLD SAID RIGHTS

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COMES NOW Defendant in fact "Michael-Trent: Barnes" California
Citizen, and moves the court, without accepting the jurisdiction of the
court, pursuant to oaths sworn by the presiding judge and the attending
public officers:

- 1.) To acknowledge and act in accordance with a United States Federal court ruling, to wit: "The claim and exercise of a Constitutional Right cannot be converted into a crime". *Miller v. U.S.* 230 F.2d. 286, 489;
- 2.) To honor, uphold and abide by the oaths taken by the presiding judge and attending court officers, pursuant to the Constitution for the United States of America, Article VI, Clause 2 and 3,;
- 3.) To provide due process of law, pursuant to the "First, Fourth, Fifth, Sixth, Seventh and Ninth Amendments of the Constitution for the United States of America;
- 4.) To provide equal protection under the law, as required by the National Constitution and pursuant to your referenced oaths;
- 5.) To respect, protect and uphold the Rights of Michael-Trent: Barnes, a California Citizen, in proper persona, in this matter, which Rights are guaranteed in the National and state Constitutions, pursuant to referenced oaths;
- 6.) To acknowledge and uphold the Constitution for the United States of America as the Supreme Law of this court, in this matter;
- 7.) To acknowledge and so rule that any court and/or judge which denies a Citizen to present evidence in any hearing or trial in total support of his position, which evidence had previously been sent Plaintiff,

via its agent and counsel, is perjury of oath and denial of due process of law. Since neither Plaintiff nor its counsel rebutted this evidence, then, there is no dispute, and since there is no dispute, there is no controversy, and since there is no controversy, charges must be dismissed; 8.) To acknowledge and so rule that this court and no other court and no judge in the United States has jurisdiction over or can issue a court order against an American Citizen if that court and/or judge: (a) do not provide due process of law; (b) do not provide a verifiable claim of injury or damage against the defendant in fact, Citizen Michael-Trent: Barnes; (c) do not respect and uphold the Constitutional Rights of American Citizens, and in this instant action, the Rights of Michael-Trent: Barnes, California Citizen, pursuant to the Rights guaranteed in the Constitution United States of America, and; (d) act with sufficient force so as to deny the powers of the National Constitution.

Wherefore Defendant, Citiizen "Michael-Trent: Barnes" respectfully moves this court grant this Motion for the aforesaid reasons.

Respectfully submitted,

All Rights Reserved

Michael-Trent: Barnes,

Michael-Trent: Barnes, California Citizen